IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 950 OF 2004

IN

SUMMARY SUIT NO. 2935 OF 2003

M/s. Time Prints .. Plaintiffs.

vs.

M/s. Marine Sports & Anr. .. Defendants.

Mr. Vipul Shukla for plaintiffs.

Mr. Sunil More for defendants.

CORAM : S.U. KAMDAR, J.

DATE : 10TH OCTOBER, 2005.

P.C.

. The present suit is filed on a dishonoured cheque dated 1.7.2000. The principal amount is Rs. 58,300/- and the interest claimed is Rs. 31,395 totalling to Rs. 89,695/- The only defence raised is that the defendant no. 1 is not a partnership firm but a sole proprietary firm. However, a perusal of the cheque on page no. 12 of the plaint shows that the said cheque is signed by the defendant no. 1 as the partner and not as a sole proprietor. In that view of the matter there is no substance in the defence raised by the defendant.

There shall be a decree as prayed. Summons for judgment is made absolute accordingly. The suit as well as the summons for judgment both disposed of accordingly.